

**UNITED STATES DISTRICT COURT**  
for the  
Eastern District of Wisconsin

United States of America  
v.  
Damariyah J. Emerson, DOB xx/xx/2001

Case No. 20 MJ 197

\_\_\_\_\_  
*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 20, 2020 in the county of Milwaukee in the  
Eastern District of Wisconsin, the defendant(s) violated:

*Code Section*

18 U.S.C. §§ 2119(1) and 2;  
18 U.S.C. §§ 924(c) and 2

*Offense Description*

Carjacking and Brandishing a Firearm During a Crime of Violence

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

Sworn via telephone; transmitted via email  
pursuant to Fed. R. Crim. P. 4.1

~~Sworn to before me and signed in my presence.~~

Date: August 26, 2020

City and state: Milwaukee, Wisconsin

  
\_\_\_\_\_  
*Complainant's signature*

Michael Slomczewski, Task Force Officer  
\_\_\_\_\_  
*Printed name and title*

  
\_\_\_\_\_  
*Judge's signature*

William E. Duffin, U.S. Magistrate Judge  
\_\_\_\_\_  
*Printed name and title*

## **AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Michael Slomczewski, being first duly sworn on oath, on information and belief state:

### **I. INTRODUCTION, BACKGROUND, TRAINING, AND EXPERIENCE**

1. I am a detective assigned to the City of Milwaukee Police Department's Criminal Investigation Bureau—Robbery Division. I have been with the City of Milwaukee Police Department for more than eighteen years, and I have been a Federal Task Force Officer with the Milwaukee Area Violent Crimes Task Force since 2016. In these roles, I have investigated numerous felony offenses, including but not limited to: Homicide, Recklessly Endangering Safety, (Armed) Robbery, Felon in Possession of a Firearm, and Burglary. I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. Based on the investigation to date, I believe there is probable cause that Damariyah J. Emerson (DOB XX/XX/2001) committed the following crimes: the July 20, 2020 armed carjacking of victim M.N., at the address of 24xx N. 49th Street in Milwaukee, in violation of 18 U.S.C. §§ 2119(1) and 2; and brandishing a firearm during a crime of violence, to wit, the July 20, 2020 armed carjacking, in violation of 18 U.S.C. §§ 924(c) and 2.

3. This affidavit is based upon my personal knowledge, training, and experience, and on information reported to me by other federal, state, and local law enforcement officers during the course of their official duties, all of whom I believe to be truthful and reliable. This affidavit is also based upon police reports, official records, cooperating citizen witness statements, search warrants, recorded statements, court records, and public records which I consider to be reliable as set forth herein.

4. Because this affidavit is submitted for the limited purpose of obtaining a criminal complaint, I have not included each and every fact known to me concerning this investigation. I

have attempted to set forth only the facts that I believe are pertinent to establishing the necessary foundation for the complaint and corresponding arrest warrant.

## **II. PROBABLE CAUSE**

5. On July 20, 2020, at about 10:46 PM, City of Milwaukee Police Department officers responded to the 2400 block of North 49th Street in Milwaukee for a report of an armed robbery with a vehicle taken. The victim, M.N., reported that his vehicle, a red 2020 Chevrolet Camaro, was taken from him at gunpoint from the street outside of his residence, 24xx North 49th Street, Milwaukee, in the State and Eastern District of Wisconsin. M.N. reported that he had purchased the Chevrolet Camaro approximately one week prior to July 20, 2020.

6. Based on my experience investigating vehicle robberies, I have reason to believe that the Chevrolet Camaro was manufactured outside of the State of Wisconsin, and was therefore transported in interstate commerce prior to the July 20, 2020 robbery in Milwaukee, Wisconsin.

7. M.N. further stated that on the evening of the carjacking, he parked his vehicle in front of his residence as he normally did, but he did not get out of the vehicle right away because he was finishing a telephone conversation with his mother. M.N. stated that while he was sitting in the driver seat with the windows down, a black male approached the driver side of the vehicle, pointed a black semiautomatic handgun directly at his head, and said, "Don't move or I'll shoot you!" M.N. further described this individual as being approximately 20 years of age and six feet tall, having a slim build and "nappy" hair, and wearing a black tank top. M.N. also stated that the man had a large tattoo on his left arm.

8. M.N. reported that as the handgun was placed to his head, he noticed that the passenger side door of his vehicle opened, and another man entered the vehicle and sat down next to him, also pointing a handgun at him. M.N. described the second man as a black male in his late



20s, with a tall, slim build, a low haircut, and wearing a black T-shirt. M.N. stated that this individual was also armed with a black semi-automatic handgun.

9. M.N. stated that that man on the driver's side of the vehicle pulled him out of the vehicle, and the carjackers took his cell phone, key fob, and a black nylon wallet. M.N. stated that after exiting the vehicle, he fled on foot and observed his vehicle driving away southbound on North 49th Street at a high rate of speed.

10. M.N.'s Chevrolet Camaro was equipped with OnStar, which located the vehicle at 1829 North 26th Street at about 12:54 A.M. on July 21, 2020. Officers responded to that area and located the vehicle there, with the engine running but no occupants inside the vehicle. The officers had the vehicle towed to the City of Milwaukee Tow Lot to be processed for latent fingerprints and DNA.

11. The Chevrolet Camaro was processed and searched on Tuesday, July 21, 2020. A Forensic Investigator was able to recover four latent fingerprints from the vehicle and five latent fingerprints from a plastic bag found inside the vehicle. A Latent Print Examiner identified two of the four fingerprints from the vehicle itself as belonging to Emerson—one that was recovered from the exterior of the driver's door and one that was recovered from the exterior roof edge above the driver's door. A Latent Print Examiner also identified all five of the fingerprints from the plastic bag as belonging to Emerson.

12. Emerson matches the physical description given by M.N. of the carjacker who approached from the driver side of the vehicle. Emerson also has a large tattoo on his left arm just as M.N. had described.

13. On Wednesday, July 22, 2020, M.N. was shown a photo array containing six photographs, one of which was Emerson. M.N. positively identified Emerson as the individual

who approached him on the driver side of the vehicle, armed with a handgun. This photo lineup was administered in a manner consistent with established Milwaukee Police Department policies.

14. Emerson was located and arrested at the La Quinta Hotel at 5423 North Port Washington Road, Glendale, on July 29, 2020. At the time of arrest, officers executed a search warrant for the hotel room where Emerson was located. During the search, two firearms were recovered—a Taurus PT 24/7, semi-automatic handgun bearing serial number TXF 85252 and an HK VP9 (9mm) semi-automatic handgun, bearing serial number 224251378.

15. During a post-arrest Mirandized interview, Emerson admitted that he had possessed the guns found in the hotel room for the purpose of filming a music video. He also admitted that he knew he was a person prohibited by law from possessing firearms.

16. Investigation into Emerson revealed several open-source photographs from various dates that show Emerson possessing firearms. The photographs match the booking photograph of Emerson.

17. Public court records reveal that on August 8, 2019, Emerson was convicted of Burglary of a Building of Dwelling in violation of Wisconsin Statutes section 943.10(1m)(a), a class F felony, in Milwaukee County, Case No. 2019CF002396.

### **III. CONCLUSION**

19. Based on the investigation to date, I believe there is probable cause that Damariyah J. Emerson (DOB XX/XX/2001) committed the following crimes: the July 20, 2020 armed carjacking of victim M.N., at the address of 2431 N. 49th Street in Milwaukee, in violation of 18 U.S.C. §§ 2119(1) and 2; and brandishing a firearm during a crime of violence, to wit, the July 20, 2020 armed carjacking, in violation of 18 U.S.C. §§ 924(c) and 2.